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UTILITY PATENT APPLICATION **TRANSMITTAL**

02021-10 Attorney Docket No. Lino E. Tornero First Inventor POSITIONING DEVICE FOR FURNITURE Title ET495289095US

(Only for new nonprovisional applications under 37 CFR 1.53(b))

| | | Express Mail Label No. | | | | | |
|---|--|--|--|--|--|--|--|
| See MPEP (| APPLICATION ELEMENTS chapter 600 concerning utility patent application contents. | ADDRESS TO: Commission P.O. Box 14 | atent Application ner for Patents 50 VA 22313-1450 | | | | |
| 2. Applic See 3: 3. Specific (prefer or a c - Back; - Brief - Detail - Claim - Abstr. 4. Drawii 5. Oath or Dec a. Ne b. Co (for | act of the Disclosure Ing(s) (35 U.S.C. 113) [Total Sheets9] Ideration [Total Sheets9] Why executed (original or copy) Property from a prior application (37 CFR 1.63(d)) Continuation/divisional with Box 18 completed) DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) | ACCOMPANYING APF 9. Assignment Papers (cove 10. 37 CFR 3.73(b) Statemen (when there is an assigne English Translation Docur Information Disclosure Statement (IDS)/PTO-144 Preliminary Amendment 14. Preliminary Amendment 14. Staturn Receipt Postcard ((Should be specifically ite) 15. Certified Copy of Priority I | equence Submission form (CRF) the Listing on: R (2 copies); or Copies Part Power of et Power of et Attorney ment (if applicable) Copies of IDS | | | | |
| | name in the prior application, see 37 CFR | (if foreign priority is claimed) 16. Nonpublication Request under 35 U.S.C. 122 | | | | | |
| _ | 1.63(d)(2) and 1.33(b). | (b)(2)(B)(i). Applicant mus | t attach form PTO/SB/35 | | | | |
| 6. Appl | ication Data Sheet. See 37 CFR 1.76 | or its equivalent. Other:Check.#.1595 | | | | | |
| 18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76: | | | | | | | |
| Contir | Continuation Divisional Continuation-in-part (CIP) of prior application No.: | | | | | | |
| Prior application i | information: Examiner | Art Unit: | | | | | |
| For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts. | | | | | | | |
| | 19. CORRESPON | DENCE ADDRESS | | | | | |
| Custon | ner Number: | OR 🗹 Corresp | oondence address below | | | | |
| Name | Walter L. Beavers | | | | | | |
| Address | 326 South Eugene Street | | | | | | |
| City | Greensboro | State NC | Zip Code 27401 | | | | |
| Country | USA T | elephone 336-275-7601 | Fax 336-275-2009 | | | | |
| Name (Print/Ty | (pe) Walter L. Beavers | Registration No. (Attorney/Agent) | 26,704 | | | | |
| Signature Date 20 January 2004 | | | | | | | |
| This collection of | information is required by 37 CFR 1.53(b). The information is | s required to obtain or retain a benefit by th | | | | | |

USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Signature

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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| [곡, FEE TRANSIVII HAL] | | Appli | cation N | lumbe | er | |
|---|---------------------|-----------------------------|--------------|-------------|--|----------|
| for FY 2004 | | | Date | | | |
| | | | Named | Inven | tor Lino E. Tornero | |
| Effective 10/01/2003. Patent fees are subject to annual revision. | | | niner Na | me | | |
| Applicant claims small entity status. See 37 CFR 1.27 | | | nit | | | |
| TOTAL AMOUNT OF PAYMENT (\$) 385.00 | | Attorr | ney Doc | ket N | o. 02021-10 | フ |
| METHOD OF PAYMENT (check all that apply) | | FEE CALCULATION (continued) | | | | |
| Check Credit card Money Other None 3. ADDITIONAL FEES | | | | | s | |
| Deposit Account: | <u>Large</u> Fee | Entity Fee | | | | |
| Deposit Account | | e (\$) | Code | Fee (\$) | Fee Description <u>Fee Pai</u> | d_ |
| Number | 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | _ |
| Deposit Account Name | 1052 | 2 50 | 2052 | | Surcharge - late provisional filing fee or cover sheet | 4 |
| The Director is authorized to: (check all that apply) | 1053 | | 1053 | | Non-English specification | \dashv |
| Charge fee(s) indicated below Credit any overpayments | | 2 2,520 | 1 | - | For filing a request for ex parte reexamination | \dashv |
| Charge any additional fee(s) or any underpayment of fee(s) | 1804 | 920* | 1804 | | Requesting publication of SIR prior to Examiner action | 4 |
| Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account. | 1805 | 1,840* | 1805 1 | | Requesting publication of SIR after Examiner action | 4 |
| . FEE CALCULATION | 1251 | 110 | 2251 | 55 | Extension for reply within first month | \dashv |
| 1. BASIC FILING FEE | 1252 | 2 420 | 2252 | 210 | Extension for reply within second month | \dashv |
| Large Entity Small Entity | 1253 | | 2253 | | Extension for reply within third month | \dashv |
| Fee Fee Fee Fee Paid Code (\$) Code (\$) | 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | 4 |
| 1001 770 2001 385 Utility filing fee 385.00 | 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | - |
| 1002 340 2002 170 Design filing fee | 1401 | 330 | 2401 | 165 | Notice of Appeal | 4 |
| 1003 530 2003 265 Plant filing fee | 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | 4 |
| 1004 770 2004 385 Reissue filing fee | 1403 | 3 290 | 2403 | 145 | Request for oral hearing | 4 |
| 1005 160 2005 80 Provisional filing fee | 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | 4 |
| SUBTOTAL (1) (\$) 385.00 | 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | \dashv |
| 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE | = | 3 1,330 | 2453 | 665 | Petition to revive - unintentional | \dashv |
| Fee from | 1501 | 1,330 | 2501 | | Utility issue fee (or reissue) | \dashv |
| Total Claims below Fee Paid -20** = X = 0 | 11 | | 2502 | | Design issue fee | \dashv |
| Independent Claims X = X = 0 | 1503 1460 | | 2503 1460 | | Plant issue fee Petitions to the Commissioner | \dashv |
| Multiple Dependent | 1807 | | | | | \dashv |
| Large Entity Small Entity | | | 1807 | | Processing fee under 37 CFR 1.17(q) | ┥ |
| Fee Fee Fee Fee Description | 1806 | | 1806 | | Submission of Information Disclosure Stmt Recording each patent assignment per | \dashv |
| Code (\$) Code (\$) 1202 18 2202 9 Claims in excess of 20 | 8021 | 40 | 8021 | 40 | property (times number of properties) | _ |
| 1201 86 2201 43 Independent claims in excess of 3 | 1809 | 770 | 2809 | 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | ╛ |
| 1203 290 2203 145 Multiple dependent claim, if not paid | 1810 | 770 | 2810 | 385 | For each additional invention to be | |
| 1204 86 2204 43 ** Reissue independent claims over original patent | 180 | 1 770 | 2801 | 385 | examined (37 CFR 1.129(b)) Request for Continued Examination (RCE) | ٦ |
| 1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent | 1802 | 900 | 1802 | | Request for expedited examination of a design application | |
| SUBTOTAL (2) (\$) 0.00 | Othe | er fee (sp | ecify) _ | | | ╝ |
| **or number previously paid, if greater, For Reissues, see above *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 0.00 | | | | | | |
| SUBMITTED BY (Complete (if applicable)) | | | | | | |
| Name (Print/Type) Walter L. Beavers | | Registra | | 26 | ,704 Telephone 336-275-7601 | |
| HATCOL D. DEAVELS | | (Attorney) | (Agent) | 120 | 7704 Totophono 330-273-7501 | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date

20 January 2004



TELEPHONE: (336) 275-7601 FACSIMILE: (336) 275-2009 EMAIL: wbeavers@bellsouth.net

PATENT LAW OFFICES

OF

WALTER L. BEAVERS 326 SOUTH EUGENE STREET GREENSBORO, NORTH CAROLINA 27401 U.S.A.

INTELLECTUAL PROPERTY LAW
INCLUDING
PATENT, TRADEMARK CAUSES

20 January 2004

Attorney Docket No. 02021-10

Mail Stop Patent Application
Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is the utility patent application of:

Inventor:

LINO E. TORNERO

For:

POSITIONING DEVICE FOR FURNITURE

Date of Execution:

16 JANUARY 2004

Enclosed are:

- 1. One copy of Specification, Claims, Declaration and Power of Attorney.
- 2. Applicant requests that this application be afforded small entity status under 37 CFR 1.9 and 37 CFR 1.27.
- 3. Nine (9) sheets of drawings.
- 4. Information Disclosure Statement and one (1) reference.
- 5. My check number 1595 in the amount of \$385.00 for the filing fee.
- 6. Non-publication Request under 35 U.S.C. §122(b)(2)(B)(i).

Director of the United States Patent and Trademark Office Page Two 20 January 2004

The filing fee was calculated as follows:

| Item | Number of claims | Number of extra claims | Fees (small entity) |
|---------------------------------|------------------|------------------------|------------------------|
| Basic fee | | | 385.00 |
| Total claims | 16 | 0 | 0.00 |
| Independent claims | 2 | 0 | 0.00 |
| Multiple dependent claims | | | |
| TOTALS | 16 | 0 | \$385.00 |

The Director is hereby requested to bill for additional charges during the pendency of this application to the address as shown above.

Respectfully submitted,

By:

Walter L. Beavers

Attorney For Applicant Registration No. 26,704 326 South Eugene Street

Greensboro, North Carolina 27401

Telephone: (336) 275-7601 Facsimile: (336) 275-2009

E-mail: wbeavers@bellsouth.net

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NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)

| First N | amed Inventor | LINO E. TORNERO | |
|---------|---------------|-----------------|--|
| Title | POSITIONING | | |
| Atty Do | ocket Number | 02021-10 | |

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

01/14/04

Signature

LINO E. TORNERO

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.